



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

86 Chambers Street  
New York, New York 10007

November 1, 2022

**VIA ECF**

Hon. Ronnie Abrams  
United States District Judge  
United States District Court  
40 Foley Square  
New York, New York 10007

**Re: *Xiubing v. Mayorkas et al.*, 22 Civ. 8557 (RA)**

Dear Judge Abrams:

This Office represents the government in the above-referenced action, in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate an Application for Asylum and for Withholding of Removal (Form I-589). I write respectfully to request that the initial pretrial conference presently scheduled for November 10, 2022, be rescheduled to the week of January 9, 2022, or a time thereafter that is convenient for the Court, with a corresponding extension of time for the parties’ preconference submission.

I respectfully request this adjournment because the complaint was served on the government by mail on October 17, 2022. Pursuant to Rules 12(a)(2) and 6(d) of the Federal Rules of Civil Procedure, the government calculates the date for its response to the complaint to be December 19, 2022. *See Fed. R. Civ. P. 12(a)(2); Fed. R. Civ. P. 6(d).* The government requires the intervening time to review the complaint, confer with USCIS, and determine next steps. This is the government’s first request for an adjournment of the pretrial conference. Plaintiff consents to this request.

I thank the Court for its consideration of this letter.

Application granted. The initial pretrial conference is hereby adjourned until January 13, 2023 at 3:45 p.m. The parties shall submit their joint letter and proposed case management plan no later than January 6, 2023.

SO ORDERED.

Hon. Ronnie Abrams  
11/2/2022

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

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cc: Counsel of record (via ECF)